

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA
AT CHARLESTON

UNITED STATES OF AMERICA

v.

CRIMINAL ACTION NO. 2:18-00111

LABARON A. BULLEY

SUPERVISED RELEASE REVOCATION AND JUDGMENT ORDER
MEMORANDUM OPINION AND ORDER

On November 18, 2021, the United States of America appeared by Julie M. White, Assistant United States Attorney, and the defendant, Labaron A. Bulley, appeared in person and by his counsel, L. Thompson Price, Esq., for a hearing on the petition seeking revocation of supervised release, submitted by United States Probation Officer Patrick M. Fidler. The defendant commenced a three (3) year term of supervised release in this action on August 13, 2020, as more fully set forth in the Judgment in a Criminal Case Order entered by the court on November 7, 2018, and as modified by the court on March 24, 2021.

The court heard the admissions of the defendant, and the representations and arguments of counsel.

For reasons noted on the record of this proceeding, which are ORDERED incorporated herein by reference, the court found by a preponderance of the evidence that the defendant has violated the conditions of supervised release in the following respects: (1) on June 18, 2021, in South Charleston, Kanawha County, West Virginia, the defendant, with a closed fist, struck in the face, the mother of his children, causing her to fall to the ground wherein the defendant repeatedly kicked her in the ribs, and the defendant grabbed a knife and threatened to kill the mother of his children, constituting the state law offenses of domestic battery and brandishing, respectively; (2) on April 8, 2021, the defendant was to reside at Dismas Charities following all of its rules, regulations, and requirements, for a period of 4 months, and on June 18, 2021, the defendant was terminated from Dismas Charities as a program failure as a result of his arrest on the violations listed in (1) above; all as admitted by the defendant, and all as set forth in the petition on supervised release, and by the court's findings on the record of the hearing.

And the court finding, as more fully set forth on the record of the hearing, that the violations warrant revocation of supervised release and, further, that it would unduly depreciate the seriousness of the violations if supervised release were not revoked, it is ORDERED that the supervised release previously imposed upon the defendant in this action be, and it hereby is, revoked.

And the court having complied with the requirements of Rule 32.1(b) (2) and (c) (1) of the Federal Rules of Criminal Procedure, and finding, after considering the factors set forth in 18 U.S.C. § 3583(e), that the defendant should be confined to the extent set forth below, it is accordingly ORDERED that the defendant be, and he hereby is, committed to the custody of the United States Bureau of Prisons for imprisonment for a period of EIGHT (8) MONTHS, to be followed by TWO (2) YEARS of supervised release upon the same terms and conditions as heretofore, with the exception that the defendant is no longer required to reside at Dismas Charities.

The defendant was remanded to the custody of the United States Marshal.

The Clerk is directed to forward copies of this written opinion and order to the defendant, all counsel of record, the United States Probation Department, and the United States Marshal.

DATED: November 24, 2021



John T. Copenhaver, Jr.
Senior United States District Judge